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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,695	02/02/1999	HISANORI NAKAJIMA	Q53164	7689

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SUGHRUE MION ZINN MACPEAK & SEAS  
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WASHINGTON, DC 200373213

EXAMINER
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NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/240,695

Applicant(s)

NAKAJIMA ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This action is responsive to communications: Reconsideration filed 12/08/2003 to the original application filed 02/02/1999.
2. Claims 1-17 are currently pending in this application. Claims 1, 7, 10 and 17 are independent claims.

**Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language; or " (Emphasis added.)

Claims 1, 7, 9-11 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by **Lhotak** (U.S. 5,671,345 - filed 06/1995).

**As to independent claims 1, 7, 10 and 17**, Lhotak teaches method of previewing print data, comprising the steps of:

- obtaining print data which can be printed by a printing device, and spooling the print data into a predetermined memory (*col.3, lines 36-48*);

- converting the spooled print data into a display data of a predetermined structure (*Abstract/col. 2, lines 16-50 & col.3, lines 11-16*), and displaying the display data on a displaying device (*col.2, lines 37-56*);

- editing the display data which is being displayed (*col.2, lines 46-49*), on the basis of an edit instruction data which is input at the display (*col.2, lines 46-49/col.5, lines 2-25 & Fig.3, item 36*); and

- inversely converting the edited display data into a structure of the spooled print data (*col.5, lines 2-25 & Fig.3, item 37*).

As to **dependent claim 9**, Lhotak teaches the data editing means edits display data which are spooled and converted in a predetermined time period (*col.5, lines 2-25 & Fig.3, items 36-37*).

As to **dependent claim 11**, Lhotak teaches the data edit process is a process of detecting an object added to the print data and editing contents of the object on the basis of an instruction (*col.5, lines 2-25 & Fig.3, items 36-37*).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-6, 8 and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lhotak** in view of **Takeda** (U.S. 6,229,622 – filed 02/1997).

**As to dependent claim 2**, Lhotak does not explicitly teach “a process of correcting color components contained in the display data which is being displayed.”

Takeda teaches a process of correcting color components contained in the display data which is being displayed (*col.3, lines 52-62*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Takeda with Lhotak because it would have provided capability for preparing print data to be printed at the printing device.

**As to dependent claim 3**, Lhotak does not explicitly teach “the print data consists of actual print information based on a print request and added-value information which is posteriorly added, the step of editing the display data uses only the added-value information which is being displayed, as an edition object.”

Takeda teaches the print data consists of actual print information based on a print request and added-value information which is posteriorly added (*col.1, lines 37-47*), the step of editing the display data uses only the added-value information which is being displayed, as an edition object (*col.7, lines 54-63*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Takeda with Lhotak because it would have provided capability for preparing print data to be printed at the printing device.

**As to dependent claim 4**, Lhotak does not explicitly teach “the added-value information is a template data which can be overlapping printed onto plural allocated pages,

the allocated pages being allocated to one print sheet, and, when a position of the template data in one of the allocated pages is changed, the position change is reflected on the other allocated pages.”

Takeda teaches the added-value information is a template data which can be overlapping printed onto plural allocated pages, the allocated pages being allocated to one print sheet, and, when a position of the template data in one of the allocated pages is changed, the position change is reflected on the other allocated pages (*col. 7, lines 39-45*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Takeda with Lhotak because it would have provided capability for organizing pages of print data to be printed.

**As to dependent claim 5**, Lhotak does not explicitly teach “movement of the position of the template data in one of the allocated pages is interlocked with movement of the position of the template data in the other allocated pages.”

Takeda teaches movement of the position of the template data in one of the allocated pages is interlocked with movement of the position of the template data in the other allocated pages (*col. 4, lines 24-33*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Takeda with Lhotak because it would have provided capability for organizing pages of print data to be printed.

**As to dependent claim 6**, Lhotak does not explicitly teach “the added-value information is a template data which can be overlapping printed onto plural allocated pages, the allocated pages being allocated to one print sheet, and the position of the template data in

one of the allocated pages is varied depending on whether the page is an odd page or an even page.”

Takeda teaches the added-value information is a template data which can be overlapping printed onto plural allocated pages, the allocated pages being allocated to one print sheet, and the position of the template data in one of the allocated pages is varied depending on whether the page is an odd page or an even page (*printing processing starts.... following spool area allocation; col.4, lines 56-59*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Takeda with Lhotak because it would have provided capability for organizing pages of print data to be printed.

**As to dependent claim 8**, Lhotak does not explicitly teach “the data editing means includes object detecting means for detecting an object of a region which is designated in the display data which is being displayed, and object editing means for editing contents of the detected object on the basis of an instruction, and the data editing means edits the display data in the unit of object.”

Takeda teaches the data editing means includes object detecting means for detecting an object of a region which is designated in the display data which is being displayed, and object editing means for editing contents of the detected object on the basis of an instruction, and the data editing means edits the display data in the unit of object (*col.9, lines 9-17*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Takeda with Lhotak because it would have provided capability for preparing print data to be printed at the printing device.

**Dependent claims 12-16** include the same subject matter as in claims 2-6, and are similarly rejected under the same rationale.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-17 have been fully considered but are moot in view of the new ground(s) of rejection.

The Examiner believes that the introduction of Lhotak, as combined with Takedat meets the limitations as claimed by Applicant.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lehnertz et al.	U.S Patent No. 5,371,888	issue dated: Dec. 6, 1994
Sanchez	U.S Patent No. 5,528,734	issue dated: Jun. 18, 1996
Patel et al.	U.S Patent No. 5,566,278	issue dated: Oct. 15, 1996
Sasaki et al.	U.S Patent No. 6,633,400	issue dated: Oct. 14, 2003

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-0092. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Maikhanh Nguyen  
February 22, 2004



**SANJIV SHAH**  
**PRIMARY EXAMINER**